A

BILL

[AS AMENDED BY THE COMMITTEE]

TO

Authorize the Sale or Mortgage of the Eſtates of Perſons found lunatic by Inquiſition, in *England* or *Ireland* reſpectively; and the granting of Leaſes of the ſame.

Note.—*The Figures in the Margin denote the Number of the Folios in the written Copy.*

N. B. *The Clauſes marked* (A.) (B.) (C.) *and* (D.) *were added by the Committee.*

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1 WHEREAS great Injury frequently happens to Perſons found lunatic or of unſound Mind, and incapable of managing their Affairs, by Inquiſitions taken in *England* and *Ireland* reſpectively; and the Creditors of ſuch Perſons are delayed in obtaining Payment of their Demands for want of ſufficient Power to apply the Property of ſuch Perſons in diſcharge of their Debts and Engagements: Preamble.

And whereas the Care and Commitment of the Cuſtody of the Perſons and Eſtates of Perſons ſo found lunatic or of unſound Mind, have been uſually entruſted, by virtue of the King's Sign Manual, to the Lord Chancellor, Lord Keeper, or Lords Commiſ-

 ſioners

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ſioners for the Cuſtody of the Great Seal of the United Kingdom and of *Ireland* reſpectively, and it would be beneficial to ſuch Perſons and their Creditors if Powers were given to diſpoſe of their Property, for Payment of their Debts, and Performance of their Engagements, under the Controul of ſuch Chancellor, Keeper, and Commiſſioners in *England* and *Ireland* reſpectively:

Authorizing Sale or Mortgage of Lunatic's Estates.

Be it therefore Enacted by the KING's Moſt Excellent MAJESTY, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful for the Lord Chancellor, Lord Keeper, or Lords Commiſſioners for the Cuſtody of the Great Seal of the United Kingdom and of *Ireland* reſpectively, being entruſted by virtue of the KING's Sign Manual with the Care and Commitment of the Cuſtody of the Perſons and Eſtates of Perſons found lunatic or of unſound Mind, and incapable of managing their Affairs, by Inquiſition taken in *England* and *Ireland* reſpectively, to order the Freehold and Leaſehold Eſtates of ſuch Perſons reſpectively, to be ſold, or charged and incumbered by way of Mortgage or otherwiſe, as ſhall be deemed moſt expedient, for the Purpoſe of raiſing ſuch Sum or Sums of Money as ſhall be neceſſary for Payment of the Debts and Performance of Engagements of any ſuch Perſons reſpectively, and the Coſts and Charges attending the ſame; and attending ſuch Sale, Mortgage, or Incumbrance reſpectively, and to direct the Committee or Committees of the Eſtate of ſuch Perſons reſpectively, to execute, in the Name and on Behalf of ſuch Perſons reſpectively, Conveyances of the Eſtates ſo to be ſold, mortgaged, or incumbered, in ſuch Manner as ſuch Chancellor, Keeper, or Commiſſioners of the Great Seal of the United Kingdom and of *Ireland* reſpectively ſhall direct; which Conveyances ſo to be made in purſuance of any ſuch Order as aforeſaid, ſhall be as good and effectual in Law as if the ſame had been executed by every ſuch Perſon ſo found lunatic or of unſound Mind reſpectively, when in his or her ſound Mind. 2

CLAUSE (A.)

Applying Surplus Money arising by Sales.

And be it further Enacted, That in caſe there ſhall be any Surplus of Money, to be raiſed by any ſuch Sale as aforeſaid, after anſwering the Purpoſes aforeſaid, the ſame ſhall be applied and diſpoſed of in the ſame Manner as the Eſtate ſold would have been applied if this Act had not been made.

CLAUSE (B.)

Allowing Committees of Lunatics to grant Leaſes.

And whereas many Perſons ſo found lunatic or of unſound Mind, may be ſeiſed and poſſeſſed of Lands, Tenements, and Hereditaments,

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reditaments, either for the Term of their Natural Lives or for ſome other Eſtate, with Power of granting Leaſes and taking Fines, reſerving ſmall Rents on ſuch Leaſes for One, Two, or Three Lives, in Poſſeſſion or Reverſion, or for ſome Number of Years determinable upon Lives, or for Terms of Years; Be it Enacted, That in every ſuch Caſe all and every Power of leaſing ſuch Lands, Tenements, and Hereditaments, which is or ſhall be veſted in ſuch Perſon ſo found lunatic or of unſound Mind, having a limited Eſtate only, ſhall and may be executed by the Committee or Committees of the Eſtate of ſuch Perſon, under the Direction and Order of the Lord Chancellor, Lord Keeper, or Lords Commiſſioners for the Cuſtody of the Great Seal of the United Kingdom and of *Ireland* reſpectively, being duly entruſted by virtue of the KING's Sign Manual with the Care and Commitment of the Cuſtody of the Perſons and Eſtates of ſuch Perſons; and ſuch Leaſe or Leaſes ſo to be executed by the ſaid Committee or Committees, under and by virtue of ſuch Order, ſhall be as good and effectual in Law as if the ſame were executed by the ſaid Perſon ſo found lunatic or of unſound Mind, in his or her ſound Mind.

CLAUSE (C.)
Enabling Committees of Lunatics to grant Building Leaſes.

And whereas Perſons ſo found lunatic or of unſound Mind may be ſeiſed or poſſeſſed of and entitled to Freehold, Copyhold, and Leaſehold Eſtates in Fee or in Tail, and it may be for the Benefit of ſuch Perſons, that Leaſes or Underleaſes ſhould be made of ſuch Eſtates for Terms of Years, and eſpecially to encourage the Erection of Buildings thereon, or repairing Buildings actually being thereon, or otherwiſe improving the ſame; Be it Enacted, That it ſhall and may be lawful for the Lord Chancellor, Lord Keeper, or Lords Commiſſioners for the Cuſtody of the Great Seal of the United Kingdom and of *Ireland* reſpectively, intruſted by virtue of the KING's Sign Manual with the Care and Commitment of the Cuſtody of the Perſons and Eſtates of ſuch Perſons reſpectively, to order and direct the Committee or Committees of the Eſtate of ſuch Lunatic, to make ſuch Leaſes of the Freehold, Copyhold, or Leaſehold Eſtates of ſuch Perſons reſpectively, according to his or her Intereſt therein reſpectively, and to the Nature of the Tenures of ſuch Eſtates reſpectively, for ſuch Term or Terms of Years, and ſubject to ſuch Rents and Covenants, as the Lord Chancellor, Lord Keeper, or Lords Commiſſioners for the Cuſtody of the Great Seal of the United Kingdom and of *Ireland* reſpectively, intruſted as aforeſaid, ſhall direct; and that all and every ſuch Leaſe or Leaſes made by ſuch Committee or Committees, under and by virtue of the ſaid Order, as ſuch Lord Chancellor, Lord Keeper, or Lords

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Commiſſioners reſpectively ſhall make thereupon, ſhall be as good and valid in the Law, as if the ſame had been executed by the Perſons ſo found lunatic or of unſound Mind reſpectivcly, in his or her ſound Mind,

CLAUSE (D.)

Directing that the Acts of Committees of Lunatics Eſtate ſhall be valid.

And be it further Enacted, That all and every Act to be done by ſuch Committee or Committees of the Eſtate of ſuch Lunatic, under and by virtue of this Act, and the Order of the Lord Chancellor, Lord Keeper, or Lords Commiſſioners of the Great Seal of the United Kingdom and of *Ireland* reſpectively, intruſted as aforeſaid, ſhall be as valid and binding againſt the ſaid Perſons ſo found lunatic and of unſound Mind reſpectively, and all Perſons claiming by, through, or under him or her reſpectively, as if the Perſons ſo found lunatic or of unſound Mind reſpectively, had been in his or her ſound Mind, and had perſonally done ſuch Act or Acts reſpectively.

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Ordered to be printed 29th April 1803.

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